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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,847	11/19/2001	Daniel E. Resasco	5820.615	9377
30589 7	7590 07/07/2003			
DUNLAP, CODDING & ROGERS P.C.			EXAMINER	
	PO BOX 16370 OKLAHOMA CITY, OK 73114		HENDRICKSON, STUART L	
			ART UNIT	PAPER NUMBER
			1754	

DATE MAILED: 07/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
Office Action Summary	Examiner KMM KSa.	Group Art Unit			
-The MAILING DATE of this communication appears	on the cover sheet be	neath th correspondence address—			
P riod for Reply	2	·			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO OF THIS COMMUNICATION.	EXPIRE	MONTH(S) FROM THE MAILING DATE			
<ul> <li>Extensions of time may be available under the provisions of 37 CFR 1. from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a reply in the period for reply is specified above, such period shall, by default,</li> <li>Failure to reply within the set or extended period for reply will, by statuent and provided the period for reply will, by statuent reply received by the Office later than three months after the mailing term adjustment. See 37 CFR 1.704(b).</li> </ul>	ly within the statutory mini expire SIX (6) MONTHS fro te, cause the application to	mum of thirty (30) days will be considered timely. m the mailing date of this communication. b become ABANDONED (35 U.S.C. § 133).			
Status  Responsive to communication(s) filed on					
☐ This action is <b>FINAL</b> .		•			
Since this application is in condition for allowance except for accordance with the practice under Ex parte Quayle, 1935.					
Disposition of Claims					
☑ Claim(s)		is/are pending in the application.			
Of the above claim(s)	is/are withdrawn from consideration.				
□ Claim(s)		is/are allowed.			
Claim(s) 125	is/are rejected.				
□ Claim(s)	is/are objected to.				
□ Claim(s)					
Application Papers		requirement			
☐ The proposed drawing correction, filed on is ☐ approved ☐ disapproved.					
☐ The drawing(s) filed on is/are objected	d to by the Examiner				
☐ The specification is objected to by the Examiner.					
☐ The oath or declaration is objected to by the Examiner.					
Pri rity under 35 U.S.C. § 119 (a)-(d)		•			
□ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)–(d).					
☐ All ☐ Some* ☐ None of the:					
☐ Certified copies of the priority documents have been received.					
☐ Certified copies of the priority documents have been received in Application No					
□ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))					
*Certified copies not received:	•	· <i>"</i>			
Atta hment(s)					
Information Disclosure Stat m nt(s), PTO-1449, Paper No(s	). <u>-</u> ln	tervi w Summary, PTO-413			
Notice of Reference(s) Cited, PTO-892		☐ Notice of Informal Pat nt Application, PTO-152			
☐ Notice of Draftsperson's Pat nt Drawing Review, PTO-948	ther				
Office Action Summary					

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The election without traverse is noted.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 4, 15, 16, 19, 20, 22 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller et al. 3746657.

Miller teaches in ex. 3 a catalyst having Co, more than 2 parts Mo and other metals on silica. The intended use claimed does not limit the catalyst.

Claims 1, 2, 4, 5, 15, 16, 19-23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson.

Thompson teaches in column 2 and 3 a catalyst having silica, Mo and Co in amounts less than 20 each. While not teaching an example which anticipates the claims, it nonetheless renders the claims obvious since choosing the claimed metals, supports and amounts thereof is an obvious matter of optimization; In re Boesch 205 USPQ 215. The intended use claimed does not limit the catalyst.

Claims 3, 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson as applied to claims 1, 2, 4, 5, 15, 16, 19-23 and 25 above, and further in view of de Boer et al.

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Thompson only teaches one group VI metal, but de Boer teaches in column 9 the option of having Mo and W. Using W in the catalyst of Thompson is an obvious expedient to gain better activity for a hydrotreating catalyst.

Claims 6, 7, 9, 13, 15-17, 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Blaskie et al.

Blaskie teaches in table 1 a catalyst of Rh, Cr on silica. The intended use claimed does not limit the catalyst.

Claims 8, 11, 12, 14 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blaskie et al.

Blaskie does not exemplify the other compositions, but suggests in column 1 the metals as additives and the amounts- note especially claim 7 of the reference. Forming the claimed compositions is thus an obvious expedient of optimization; In re Boesch, id.

Claims 6, 7, 10, 13, 14, 15, 16 and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki et al.

Suzuki teaches in the tables catalysts containing Pd, group VI metal anions, on silica.

Any inquiry concerning this communication should be directed to examiner Hendrickson at telephone number (703) 308-2539.

Stuart Hendrickson examiner Art Unit 1754